

On April 14, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

Acting Secretary of Agriculture.

7040. Adulteration of frozen eggs. U. S. * * * v. 9 Cans and 10 Cans * * * of Frozen Eggs. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 9575, 9576. I. S. Nos. 15649-r, 15650-r. S. No. E-1205.)

On January 18, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a District court, libels for the seizure and condemnation of 9 cases and 10 cases, each containing approximately 40 pounds of frozen eggs, at Washington, D. C., alleging that the article had been shipped on or about September 9, and September 19, 1918, by Stricker Bros., Baltimore, Md., and transported from the State of Maryland into the District of Columbia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On April 17, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

Acting Secretary of Agriculture.

7041. Adulteration of tomato sauce. U. S. * * * v. 22 Cases of Tomato Sauce. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9577. I. S. No. 15641-r. S. No. E-1175.)

On January 18, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 22 cases of tomato sauce, consigned November 20, 1917, remaining unsold in the original unbroken packages at Hagerstown, Md., alleging that the article had been shipped by James Chieves & Co., Courtland, Va., and transported from the State of Virginia into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Aurora Brand Pura Salsa Di Pomodoro Packed for James Chieves & Co., New York. Packed by Tidewater Packing Co., Courtland, Virginia."

Adulteration of the article was alleged in the libel for the reason that it consisted of a filthy, decomposed, and putrid vegetable substance.

On March 14, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

Acting Secretary of Agriculture.

7042. Adulteration and misbranding of mineral water. U. S. * * * v. 335 Cases of Mineral Water. Consent decree of condemnation, forfeiture, and destruction. Empty containers released on bond. (F. & D. No. 9579. I. S. No. 7454-r. S. No. C-1033.)

On January 17, 1919, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure

inal unbroken packages at Shreveport, La., alleging that the article had been shipped on or about December 12, 1918, by the Crazy Well Water Co., Mineral Wells, Tex., and transported from the State of Texas into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal and vegetable substance.

Misbranding of the article was alleged for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label, to wit, "For Rheumatism, Functional [Stomach] Diseases, Liver Diseases (not organic), Cystitis, Diabetes, Brights Disease," were false and fraudulent in that the same were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchaser thereof and create in the minds of purchasers thereof, the impression and belief that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, in the treatment of the aforesaid diseases, when, in truth and in fact, the article was not in whole or in part composed of, and did not contain, ingredients, nor a combination of ingredients, capable of producing the therapeutic effects claimed on the labels, and therefore was not effective as a remedy for said above-named ailments.

On March 10, 1919, the said Crazy Well Water Co., claimants, having admitted the truth of the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that the bottles, when emptied of their contents, should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

E. D. BALL,

Acting Secretary of Agriculture.

7043. Adulteration of catsup. U. S. * * * v. 1,000 Cases of Tomato Catsup. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9580. I. S. No. 2551-r. S. No. W-264.)

On January 15, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,000 cases, each containing 24 bottles of tomato catsup, remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped on October 4, 1918, by the Red Wing Co., Fredonia, N. Y., and transported from the State of New York into the State of California, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Wellmen Brand Tomato Catsup."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance.

On May 28, 1919, the said Red Wing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$8,000, in conformity with section 10 of the act.

E. D. BALL,

Acting Secretary of Agriculture.